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June 15, 2022

VIA ECF

The Honorable Gabriel W. Gorenstein
 United States Magistrate Judge
 U.S. District Court for the Southern District of New York
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street
 New York, NY 10007-1312

MEMORANDUM ENDORSED

Re: Schansman et al. v. Sberbank of Russia PJSC et al., Case No. 19-cv-2985-ALC-GWG; VTB Bank PJSC's Letter Requesting Extension of Time for New Counsel to File Notice of Appearance

Dear Judge Gorenstein:

On behalf of Defendant VTB Bank (PJSC) ("VTB"), we write with respect to the deadline for VTB's new counsel to enter its appearance. On May 2, 2022, the Court entered an order setting June 2, 2022, as the deadline for VTB's new counsel to enter its appearance on the docket, (Dkt. No. 333). On June 2, 2022, VTB requested an extension until June 15, 2022 for new counsel to file their notices of appearance. In its request, VTB noted that it had recently come to an agreement-in-principle with Marc Agnifilio and Zach Intrater of Brafman & Associates P.C. to undertake this representation, but the logistics of finalizing that engagement were taking longer than anticipated due to the Russia-related sanctions regime in the United States. (Dkt No. 342). On June 3, 2022, the Court granted that request, noting that there "will be no further extensions absent a sworn statement from someone with personal knowledge that describes in detail the efforts made to obtain a new attorney." (Dkt No. 350).

As provided in the attached affidavits from Mr. Izamit Mamaev of VTB, and Mr. Intrater of Brafman & Associates P.C., VTB and its new counsel have been working to identify a way for VTB to send Brafman & Associates P.C. a retainer for its engagement, but have had difficulty finding a bank in the United States that will approve this transaction from VTB. VTB and Brafman & Associates P.C. hope to clear this hurdle soon. Accordingly, VTB respectfully requests an extension until Friday, July 1, 2022, for new counsel to file their notices of appearance in this lawsuit. This is VTB's second request for an extension of this nature (Dkt. 340).

Plaintiffs oppose the requested extension of time, for the stated reason that plaintiffs' "ability to prosecute [their] motion to compel against VTB is being unnecessarily delayed as VTB delays its engagement of new counsel," as reflected in Exhibit A, email from T. Mascherin dated June 15, 2022.

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Sincerely,

/s/ Christopher R. Harris

Christopher R. Harris

cc: All Counsel of Record (via ECF)

Granted in part and denied in part. Extension to June 23, 2022, granted. There will be no further extensions absent a sworn statement from someone with personal knowledge that provides a daily log of the efforts made by that individual starting on June 16, 2022, to arrange for a new attorney to file a notice of appearance.

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge

June 16, 2022